

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on January 12, 2011 at 9:00 A.M., in Room 422
Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Tom Facey (D)
Sen. Frederic "Eric" Moore (R)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Jeff Essmann (R)
Sen. Bruce Tutvedt (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 16, 1/5/2011; SB 101, 1/5/2011 SB 23, 1/5/2011; SB 27,
1/5/2011
Executive Action: SB 27 Do Pass As Amended

HEARING ON SB 16

Opening Statement by Sponsor:

00:00:08 Sen. Taylor Brown (R), SD 22, opened the hearing on SB 16, Revise authority of board of horse racing and requirements regarding simulcasts.

[EXHIBIT\(bus09a01\)](#)

Proponents' Testimony:

00:08:10 Sherry Meador, Attorney, Board of Horse Racing (BOHR)
00:15:41 Al Carruthers, Chairman, BOHR
00:16:20 Mike Tatsey, Vice Chair, BOHR
00:17:06 Bryan Sherman, Executive Secretary, BOHR (informational only)
00:17:41 Dale Mahlum, Horse Breeder and former Senator
00:23:42 Carol Lambert, self

Opponents' Testimony:

00:26:10 Chairman Balyeat read into the record a letter received from Cliff Trexler

[EXHIBIT\(bus09a02\)](#)

Informational Testimony:

00:26:58 Bryan Sherman, Executive Secretary, BOHR

Questions from Committee Members and Responses:

00:27:15 Sen. Facey
00:27:46 Bryan Sherman
00:28:46 Chairman Balyeat
00:30:18 Sen. Brown
00:32:59 Sherry Meador, Attorney, BOHR
00:34:04 Chairman Balyeat
00:36:02 Ms. Meador
00:36:48 Chairman Balyeat
00:37:27 Ms. Meador

Closing by Sponsor:

00:39:20 Sen. Brown

00:41:30 Chairman Balyeat

HEARING ON SB 101

Opening Statement by Sponsor:

00:44:05 Sen. Verdell Jackson (R), SD 5, opened the hearing on SB 101, Establish denturist board.

Proponents' Testimony:

00:45:49 Dennis Lopach, Lawyer representing Denturists of State of Montana

EXHIBIT(bus09a03)

00:49:12 Brent Kandarian, Co-Author Initiative 97 from 1984

EXHIBIT(bus09a04)

00:53:38 Clifford Christenot, Board of Dentistry

00:57:13 Allen Casteel, Licensed Denturist, Great Falls

01:00:27 Carol Casteel, Office Manager, Denture Clinic, Great Falls

01:02:25 Susan Mergenthaler, self, Helena

EXHIBIT(bus09a05)

EXHIBIT(bus09a06)

01:04:44 Dennis Lopach voiced Aimee Grmoljez's support from the Montana Hygienist Association

Opponents' Testimony:

01:05:19 Mary McCue, Executive Director, Montana Dental Association (MDA)

01:11:33 Dr. Dan Fiehrer, Helena Dentist and Orthodontist

01:13:43 Candace Payne, Lobbyist, MDA

Informational Testimony:

01:14:40 Maggie Connor, Bureau Chief, Licensing Bureau

Questions from Committee Members and Responses:

01:15:01 Sen. Moore

01:15:26 Dennis Lopach deferred the question

01:15:41 Clifford Christenot

01:19:25 Sen. Vuckovich

01:20:31 Mr. Lopach

01:20:49 Chairman Balyeat

01:22:22 Mr. Lopach

01:22:40 Sen. Facey

01:23:22 Dr. Dan Fiehrer

01:23:45 Sen. Moore

01:24:04 Ms. McCue, MDA

01:24:46 Sen. Vuckovich

01:25:06 Mr. Lopach deferred the question

01:25:19 Chairman Balyeat

01:25:30 Sen. Vuckovich

01:26:15 Brent Kandarian

01:27:31 Chairman Balyeat

01:29:02 Ms. McCue

Closing by Sponsor:

01:30:23 Sen. Jackson

01:34:11 Recess
01:41:18 Reconvene

HEARING ON SB 23

Opening Statement by Sponsor:

01:41:37 Sen. Anders Blewett (D), SD 11, opened the hearing on SB 23, Require midwives to disclose whether they carry malpractice insurance.

Proponents' Testimony:

01:44:51 Don Judge, Montana Nurses Association (MNA)
01:46:04 Erin MacLean, Montana Medical Association (MMA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:47:53 Sen. Blewett
01:48:23 Chairman Balyeat
01:48:57 Sen. Blewett

HEARING ON SB 27

Opening Statement by Sponsor:

01:49:14 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 27, Provide for acupuncturist on board of medical examiners.

Proponents' Testimony:

01:52:46 Tanja Brekke, Montana Association of Acupuncture and Oriental Medicine (MAAOM), Bozeman

EXHIBIT(bus09a07)

01:54:49 Ronald Davis, MAAOM, Bozeman

EXHIBIT(bus09a08)

01:56:03 Pauline Gatto, Kalispel, self

01:59:06 Steve Martinez, Licensed Acupuncturist, Kalispel

EXHIBIT(bus09a09)

02:00:23 Joelle Selk, Nurse, self

EXHIBIT(bus09a10)

02:01:17 Susannah White, Licensed Acupuncturist, Bozeman

EXHIBIT(bus09a11)

02:02:21 Jane Hamman, Lobbyist, MAAOM

Opponents' Testimony: None

Informational Testimony:

02:03:21 Pat Bollinger, Helena, Board of Medical Examiners
02:05:25 Jean Branscum, Executive Director, Board of Medical Examiners

Questions from Committee Members and Responses:

02:05:49 Sen. Moore
02:06:01 Tanja Brekke, Acupuncturist
02:06:20 Sen. Jackson
02:07:13 Sen. Kaufmann

Closing by Sponsor:

02:08:18 Sen. Kaufmann
02:09:49 Chairman Balyeat

EXECUTIVE ACTION ON SB 27

02:10:03 **Motion:** Sen. Facey moved that **SB 27 DO PASS.**

02:10:16 **Motion/Vote:** Sen. Facey moved that **SB 27 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

EXHIBIT(bus09a12)

02:10:50 **Motion/Vote:** Sen. Facey moved that **SB 27 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 63

02:13:02 **Motion:** Sen. Steinbeisser moved that **SB 63 DO PASS.**

02:13:16 **Motion:** Sen. Steinbeisser moved that **SB 63 BE AMENDED.**

EXHIBIT(bus09a13)

02:13:39 Chairman Balyeat

02:14:14 **Vote:** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

02:14:43 **Motion:** Sen. Steinbeisser moved that **SB 63 DO PASS AS AMENDED.**

Discussion:

02:14:56 Chairman Balyeat
02:15:14 Pat Murdo, Legislative Services Division
02:16:15 Chairman Balyeat

SENATE COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

January 12, 2011

PAGE 6 of 7

02:17:15 **Vote:** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

02:17:48 Chairman Balyeat

Note: This bill was brought before the committee January 11, voted upon and Standing Committee Report issued. In haste, the same action occurred today, as reflected above, however no new Standing Committee Report was issued.

ADJOURNMENT

Adjournment: 11:18 AM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus09aad.pdf](#))